

EXHIBIT E

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February 23, 2009

Michael Bond
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(Via email and FedEx)

Re: *State of Oklahoma v. Tyson et al.*, No. 05-CV-0329-GKF-PJC
Valerie Harwood materials

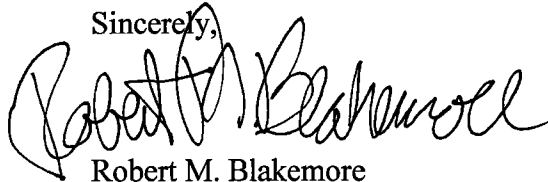
Dear Michael:

Without waiving any of the objections which we have previously made, we are today FedExing to you a CD containing peer review-related documents submitted to us by Valerie J. Harwood ("Dr. Harwood").

These documents are being produced in compliance with our previous offer to supplement our peer review-related production once a decision had been made concerning publication of the manuscript submitted by Dr. Harwood, et al., to the Journal of Applied and Environmental Microbiology ("AEM"). On January 23, 2009, AEM notified the authors that the manuscript has not been selected for publication.

If you have any questions concerning this matter, please let me know.

Sincerely,



Robert M. Blakemore

cc: Jay Jorgensen (via email)

